

ERSO-84-051

(EP 0509827 in view of Yamazaki et al. and Tani et al.) is accepted. These claims have now been cancelled.

We cannot agree with Examiner's rejection of claims 7-11 and 18-22. In our earlier communication of January 13 1997 we had argued that the cited prior art did not anticipate our invention because it showed contiguous subpixels that were not parallel to the substrate surface. Examiner has now cited EP 509827 which does show non-touching subpixels that are parallel to the substrate surface.

There is, however, an significant difference between the second embodiment of our invention (as expressed in claims 7-11 and 18-22) and EP 509827, which appears to have been overlooked. This difference is best seen by comparing FIG. 3 of our invention with FIGs. 1, 2(e), and 3 of EP 509827. In our invention, black matrix 36 is seen to be embedded within ITO layer 8. In EP 509827, black matrix 10 is seen to interface with ITO layer 6 at only one surface. The same limitation can be seen in Tani's FIG. 12(7 and 8) where the black matrix is seen to be contacting the underlying layer of ITO on one surface only.

This difference is an important feature of our invention relative to the prior art as it makes for improved electrical contact between the black matrix and the transparent conducting

ERSO-84-051

film and, additionally, it provides for better mechanical stability of the black matrix since it is now encapsulated.

In order to further emphasize this feature of our invention, structural claim 7 has been amended to explicitly point out that the black matrix is embedded within the transparent conducting layer. No new matter is involved, antecedent basis being already present in the specification (page 9, second paragraph, line 4). The corresponding method claim 18 has been similarly amended at step (i).

Since the fact that the black matrix is embedded within the ITO implies that its thickness be less than that of the ITO, we propose adding claim 23 to specify a thickness range for the chromium between about 500 and 2,800 Angstroms and have amended claim 20 to claim a thickness for the ITO layer between about 1,000 and about 3,000 Angstroms.

To conclude, we thank examiner Duong for his careful reading of first response. We also thank him for his diligence in searching for additional prior art. We have found the new references that he has cited to be of considerable interest.

Reconsideration and withdrawal of the rejection is respectfully requested.

ERSO-84-051

Allowance of all Claims is requested. It is also requested that should Examiner Duong not find that the Claims are now Allowable, he should please call the undersigned Attorney at (914)-452-5863 to overcome any problems preventing Allowance.

Respectfully submitted

*George O. Saile*  
George O. Saile #19572